

REMARKS

The Examiner has required restriction to one of the following claim groups:

Group I. Claims 1-5, drawn to a method, classified in class 128, subclass 898.

Group II. Claims 6-37, drawn to device, classified in class 606, subclass 194.

Applicants hereby provisionally elect Group II (claims 6-37), with traverse, as further explained below. Applicants request examination of the elected subject matter on the merits. Should the claims be found allowable, Applicants reserve the right to request reconsideration and rejoinder of the claims of Group I.

The restriction requirement is respectfully traversed on the basis that it does not pose a serious search burden on the Examiner. Applicants contend that a search for art describing devices for creating a seal in a blood vessel will inevitably include methods for creating the seal.

The restriction requirement also mentions that a complete reply must include an election of species to be examined. However, as no particular species were set forth by the Office, Applicants have assumed that this form paragraph was inserted by mistake, and request correction if our assumption is incorrect.


Applicants expressly reserve their right under 35 U.S.C. § 121 to file a divisional application directed to the non-elected subject matter during the pendency of this application, or an application claiming priority from this application.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit**

Account No. 03-1952 referencing (506512002100). However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

By 

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